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PTO/SB/21 (09-04)

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# TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number 10/730,040  
Filing Date 12/09/2003  
First Named Inventor Matthew BULLOCK  
Art Unit 3612  
Examiner Name Stephen GORDON  
Attorney Docket Number 10,065,024

## ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☒ Amendment/Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☐ Reply to Missing Parts/Incomplete Application  
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a Provisional Application  
☐ Power of Attorney, Revocation  
☐ Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_  
☐ Landscape Table on CD

- ☐ After Allowance Communication to TC  
☐ Appeal Communication to Board of Appeals and Interferences  
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☐ Other Enclosure(s) (please identify below):

### Remarks

Reply to office action of 12/20/04 is attached.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Kile Goekjian Reed & McManus PLLC

Signature

Printed name

Bradford Kile

Date

01/18/05

Reg. No.

25,223

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Eduardo M. Silva

Date

01/18/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**JAN 18 2005**

In re application of:

Matthew Bullock

Serial No. 10/730,040

Filed: 12/09/2003

For: Cargo Restraint System and Method

Examiner: Stephen Gordon

Art Unit: 3612

Attorney's Docket No.: 10.065.024

**ELECTION OF INVENTION**  
**IN RESPONSE TO RESTRICTION REQUIREMENT**Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

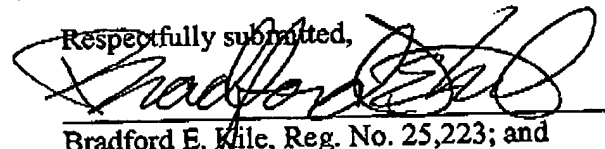
In response to an Office Action mailed 12/20/2004, applicant elects for immediate prosecution claims 1-12, without prejudice, to filing a divisional application directed to the subject matter of claims 13-22.

Applicant traverses the request for restriction and believes that the subject matter of claims 13-22 is not distinct as compared with the subject matter of claims 1-12 and therefore applicants request reconsideration of the request for restriction. In companion applications serial Nos. 10/730,024 and 10/730,625 the USPTO, through Examiner Chenevert ( Art Unit 3612 ) has examined both method and apparatus claims, in the same application, and all claims in both applications currently stand allowed.

Early reconsideration and withdrawal of the requirement for restriction is respectfully solicited. No fee is deemed necessary in connection with this election of invention.

Date: January 18, 2005

Respectfully submitted,



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